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CITY OF FORT LAUDERDALE UNSAFE STRUCTURES BOARD THURSDAY, NOVEMBER 20, 2014 AT 3:00 P.M. 1 ST FLOOR COMMISSION CHAMBERS CITY HALL

Cumulative Attendance 0/14 through

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City Staff

Lori Grossfeld, Board Secretary Porshia Goldwire, Administrative Aide Rhonda Hasan, Assistant City Attorney

George Oliva, Building Inspector

Alex Hernandez, Interim Building Official

Mark Campbell, Code Enforcement Officer

Fort Lauderdale Police Officer Margaret Dryden Jamie Opperlee, ProtoType Inc. Recording Clerk

Communication to the City Commission None

Witnesses and Respondents

CE14070526: Wendy Wills, neighbor

CE14072163: Jessica Viaros, company representative

CE14091627: Bruce Norris, owner; Michael Spoliansky, Mortgage company attorney

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2	CITY OF FORT LAUDERDALE UNSAFE STRUCTURES BOARD			
3	THURSDAY, NOVEMBER 20, 2014 AT 3:00 P.M. 1 ST FLOOR COMMISSION CHAMBERS			
4	CITY HALL			
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6	Cumulative Attendance 10/14 through 9/15			
7				
8	Michael Weimers Attendance Present Absent			
0	Joe Holland, Vice Chair P 1 1			
9	John Barranco A 1 1			
10	Joe Crognale P 2 0 Pat Hale			
	Thornia Tarrett			
11	Don Larson			
12	John Phillips [arrived 3:11] P 2 0			
13				
14	City Staff			
15	Lori Grossfeld, Board Secretary Porshia Goldwire, Administrative Aide			
16	Rhonda Hasan, Assistant City Attorney George Oliva, Building Inspector			
17	Alex Hernandez, Interim Building Official Mark Campbell, Code Enforcement Officer			
18	Fort Lauderdale Police Officer Margaret Dryden Jamie Opperlee, ProtoType Inc. Recording Clerk			
19	J			
20	Communication to the City Commission None			
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23	CE14070526: Wendy Wills, neighbor CE14072163: Jessica Viaros, company representative			
24	CE14091627: Bruce Norris, owner; Michael Spoliansky, Mortgage company attorney			
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Index		
Case Number	Respondent	Page
1. CE14070526	NAOR, ERIC SHAULI, YOSSI & SCHMIDT, T	3
	1301 SW 30 ST	
Disposition:	The Board took no action.	
		
2. CE14072163	DOWNTOWN FORT LAUDERDALE WATERFRONT	26
	413 SW 3 AVE	
Disposition:	The Board found the violations existed as cited and granted the owner 56 days to demolish or the City will do so. The owner has agreed to make emergency repairs and has the right to appear at the Board's January meeting with proof of the emergency repairs and proof that he has contacted a professional engineer and that the design work and the permits are in process. The Board may at that time grant an extension to this demolition order. Board approved 6-1.	
3. CE14091627	NORRIS, BRUCE E & ELAINE M	
	720 SW 18 ST	<u>54</u>
Disposition:	The Board found the violations existed as cited and granted the owner 30 days to demolish the structure or the City will demolish the structure. Board approved 7-0.	
4. CE14090603	ALPHONSE, EUGENE J	
	1130 S FEDERAL HWY	<u>60</u>
Disposition:	Withdrawn.	
	Other items and announcements	60
	Communication to the City Commission	
	Commission to the City Commission	63

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18.

The regular meeting of the Unsafe Structures Board convened at $3:00~\rm p.m.$ in the $1^{\rm st}$ Floor Commission Chambers, City Hall, $100~\rm North$ Andrews Avenue, Ft. Lauderdale, Florida.

All individuals giving testimony before the Board were sworn in.

Approval of meeting minutes

Motion made by Mr. Larson, seconded by Ms. Hale, to approve the minutes of the Board's October 2014 meeting. In a voice vote, motion passed unanimously.

<u>Cases</u>

Case: CE14070526 NAOR, ERIC SHAULI, YOSSI & SCHMIDT, T 1301 SW 30 ST

MS. GOLDWIRE: The first case of our agenda is return case old business. Case number CE14070526, owner Eric Shauli Naor and Schmidt Yossi and all others. Inspector George Oliva, case address 1301 Southwest 30 Street.

The property was posted 10/21/14, advertised in Daily Business Review 10/31/14 and 11/7/14. At the 10/16/14 USB hearing, the Board ordered a forty-five day demolition and suggested to come back in thirty-five days to the 11/20/14 USB hearing. Additionally, notice is posted on the agenda, it's

noted on the agenda.

CHAIR WEYMOUTH: Good afternoon Inspector.

INSPECTOR OLIVA: Good afternoon members of the Board. George Oliva, Building Inspector for the City. I'm going to be updating case number CE14070526 in today's agenda. This case was opened on July 8, 2014 by me. The following picture were taken in October 16 by the Officer and on November 18 by the Code Officer Mark Campbell and I would like to submit them into the records.

[Officer Oliva displayed photos of the property]

The pictures are coming. The pictures I'm going to be showing are the front of the unsafe building and these are the pictures dated October 16, that's the same day that we were presenting the case here in front of the Board. At the same time, the police officer, they were at the property removing squatters that they took over again. And one of the issues here is that the water meter was jumped and there were people living inside the property.

And they [the photos] should be coming any minute. No, they're loading in.

MR. LARSON: George, those are great pictures.

INSPECTOR OLIVA: Thank you. Hey, I tried to do the best for the Board.

MR. CROGNALE: Computer's froze up, you may need a reboot.

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INSPECTOR OLIVA: Yes. I'm sorry about technical difficulties.

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CHAIR WEYMOUTH: It's all right it's warming up, it's loading.

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INSPECTOR OLIVA: Yes, they're loading. They're just taking a little bit of time.

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MR. CROGNALE: Computer's froze, you need a reboot.

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But,

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presenting this case to the Board -- that was October 16 -- at 9

INSPECTOR OLIVA:

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the same time the Police Officer was at the property removing

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I think that Bobby was doing that case for me a squatter.

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that day because of, I lost my voice and he mentioned that to

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the Board also, that the Police was there. Also, the property

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remains unsafe; the rear, the roof is already giving in to the

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property and the pool remains with standing water inside, or

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black water.

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CHAIR WEYMOUTH: Inspector, you're basically saying

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nothing has happened since --INSPECTOR OLIVA: Nothing had happened. The

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property remains unsafe, it's still being a hazard to the

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whole neighborhood because the squatters keep coming into the

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property. And that's unhealthy inside that property.

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don't know if we're going to be able to show the picture, but

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meanwhile, if you want, I have the Police Officer, also I have

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the Code Officer here again that they can give a statement to

the Board of the situation of the dwelling. 1 2 MS. HALE: How many times have they been there, 3 since we had the meeting when they were 4 removing? INSPECTOR OLIVA: Even before I took over the case? 5 6 INSPECTOR OLIVA: There were --7 MS. HALE: No. From last meeting on. 8 INSPECTOR OLIVA: The day that we had the last 9 meeting --10 MS. HALE: Yes, yes. 11 INSPECTOR OLIVA: They went back in and I'm not sure they have been back in there. I'm going to let the Officer 12 answer that part. 13 14 CHAIR WEYMOUTH: Okay. 15 OFFICER CAMPBELL: How are you doing, Mark Campbell, 16 good to see you. 17 CHAIR WEYMOUTH: Good, how are you? 18 OFFICER CAMPBELL: All right. Now, restate the 19 question? 20 MS. HALE: I just asked how many times since our last meeting have you been into that house? 21 22 OFFICER CAMPBELL: Inside the house? 23 MS. HALE: To evict --24 OFFICER CAMPBELL: Or been -- oh okay. 25 MS. HALE: Or had a call on, you know --

1 OFFICER CAMPBELL: We've had --2 MS. HALE: -- squatters or problems or --3 OFFICER CAMPBELL: At least once I've been back, there's been activity. We actually also have a neighbor 4 that's here in the audience that wants to speak and she's 5 there every day walking and she's able to see the activity on 6 7 the property as well. 8 MS. HALE: Okay. 9 OFFICER CAMPBELL: But I'm there quite frequent. The pool is as it, as, the pool hasn't changed. 10 11 MS. HALE: Still green? 12 OFFICER CAMPBELL: So, I mean, it was the neighbor that went on there that put on it a, somewhat of a flimsy pool 13 14 cover. 15 MS. HALE: Right, I remember that. OFFICER CAMPBELL: So, it's one of those that if you 16 stand on it, you're going right in. So anybody that would 17 take it the wrong way that would think it would support their 18 weight, they're going through. And, yes, it's still murky and 19 20 everything. 21 MR. CROGNALE: Bingo! 22 MS. HALE: Ah. 23 OFFICER CAMPBELL: The bank had --24 MS. HALE: Are these the pictures? 25 INSPECTOR OLIVA: Georgia Oliva, Building Inspector,

these are the latest pictures. These ones were taken the same day that we were here presenting the case for the first time. The pictures were taken by the Officer. You can see that they put a blue tarp on top of the pool but that's the condition the water was in the pool. The water is completely standing, it's unhealthy. The squatter keep breaking into the property, there's no sanitary condition, and the last thing they were doing, they were bypassing —

These pictures were taken yesterday by Mike Campion, the Officer. You can see there's some type of protection to the property but it's still, it's very easy to break in. The way the board-up was done, it's not up to the City minimum requirements or standards. And also there was a picture showing that the back roof is already giving in to the living space at the rear which is another life safety issue right there.

And that's the side of the property, that's the front face of the property where that board-up doesn't meet the criteria of the City ordinance. And the last time we tried to secure the door, we put some [inaudible] and some metal strip on it. But they keep breaking from the rear. You're going to see the picture where they broke through the door one more time. It's coming now.

MR. LARSON: George?

INSPECTOR OLIVA: That's the roof in the back that

is sagging. And that, right there, that's the door they broke in. You can see right next to the knob to the right above, right there, they broke through the door, they open the knob and went in.

So now we've secured that door and that's the one that is giving in already or that part of the roof is falling down. And I'm going to let Mark keep talking to the Board.

CHAIR WEYMOUTH: Mr. Larson?

MR. LARSON: George, in regards to the water being jumped and bypassed over there, can't the City put a lock on that where they turn that off out at the street? Can't they lock that down so that nobody can jump that?

INSPECTOR OLIVA: Really, I don't know if the -- MR. LARSON: Do you know?

INSPECTOR OLIVA: -- if we have any type of lock that we can put on the pipe. I'm not aware of that. Probably there is, but I don't know.

OFFICER CAMPBELL: I've seen it many times where they'll just put a straight pipe -- that's what it's called -- and they'll just tap right into it and bypass whatever lock you put on there.

MR. LARSON: The only reason I ask, over in the building that I take care of they've got a valve they can turn and turn off. So it's got a valve on it, so if they can't turn the valve they can't lock it out they can lock it out so that

we can't turn the valve.

OFFICER CAMPBELL: To the best of my knowledge, anybody I've ever seen at that property, they weren't using the water from the pipe they were -- matter of fact I was just having a conversation with the Officer behind me -- they were putting out pots to catch water and that's what they were using.

MR. LARSON: Oh, okay. Okay, so the water's not the -- the way I -- I thought maybe the water was an issue.

INSPECTOR OLIVA: Yes, this is the first time ever that we saw that the pipe was jumped so they're getting a little more --

OFFICER CAMPBELL: And, by the way, their bathroom was the pool and whatever pots -- actually, they kept the pots in a room right by the pool.

MR. LARSON: Yes, okay, alright, thank you.

OFFICER CAMPBELL: But the Officer is here to speak if you have any questions as far as Police calls to the property and then there's also a neighbor here that would like to speak as well.

CHAIR WEYMOUTH: Any questions for the City Inspectors before we move on? Officer, would you like to add something?

[Mr. Phillips arrived at 3:11]

OFFICER DRYDEN: The property was boarded up

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1 2 squatters months ago. 3 Margaret Dryden. 4 5

originally when we had gone there to remove like six, eight I'm sorry, Officer Dryden, Oh, Anyway, so we went there, evicted the squatters, that's when I called Mark because I've been working in that area long time so I'm familiar with him, we work well together.

Came over, did an emergency board-up because the property was so bad. And like he said that the picture of the pool I just looked at is immensely better than the day that we were even there because they were using it Using the rainwater to watch pots and pans, facilities. laundry. When you go inside the property, it's like sinkholes in there; you have to like hug the walls, you can barely get up the staircase, was very unsteady. They had dogs living in there so there was animal feces and urine all throughout the property.

So we evicted them out that they, day. defeated the first set of boards and those pipes they, the metal you see going across the door had to be put in place to keep them out. They were defeating the locks, cutting the locks on the fences so we had to keep calling them out. No matter what you put up, they're defeating it to get back in for shelter or whatever.

The problem is, is most of the people that go in there we're habitually finding, they're IV drug users. So now

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we have IV needles in the road, in the grass, in the street. 1 This neighborhood is two blocks from St. Jerome's School. 2 3 CHAIR WEYMOUTH: From where? I'm sorry, Jerome's? 4 5 OFFICER DRYDEN: St. Jerome's Catholic School where the -- and there's bus stops along ninth Avenue. 6 So you're two, three blocks from that. So people are walking through 7 the neighborhood to school and we're finding used needles on 8 9 the roadway. A lot of times they'll get up into that top floor 10 11 apartment where there's a window shaker. And they were bypassing, stealing somebody's electricity to get into that. 12 The last time we were over there they had busted the back 13 fence to get in and we had to pull them out. And I think two 14 people were arrested; one had a warrant and the other one had 15 narcotics. So it's a continuous issue especially for the --16 and the neighbors are constantly calling the Police. 17 18 CHAIR WEYMOUTH: 19 offender every time, the same squatters? 20 OFFICER DRYDEN: The, two of them, yes. 21

Are you re-arresting the

Some of them I don't know, some of them --

CHAIR WEYMOUTH: I mean, is there no teeth in the law for you -- I mean I --

> OFFICER DRYDEN: Welcome to my world.

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CHAIR WEYMOUTH: It's the old joke that by the time you get done with the paperwork, they're out. But I mean, is there --

OFFICER DRYDEN: Unfortunately too, with the jail being what it is, you know, and people can make bail, I mean, it is what it is and they go straight back to the neighborhood.

CHAIR WEYMOUTH: And the reason I ask, and because I will ask also the residents of the neighborhood is so, great, you tear the house down, these people are not going to say oh, well, let's head somewhere else. They're going to go to the next closest vacant home.

OFFICER DRYDEN: Which they have, and I've addressed that issue too and we're in the process of securing that property. Two people were arrested from there too. It's almost like we're herding cattle almost. So we have to, we're trying to identify the vacant properties in the area and nip it in the bud before they're able to get in and defeat it.

Unfortunately that's just the nature of this particular beast for us. They just are kind of congregating around. But wherever they can getting the sneak in. We're trying. I mean, we lock them up but there's only so much, you know --

CHAIR WEYMOUTH: Well, and again, this came up at the last meeting on this property but you know, unfortunately the physical piece of structure here is the victim in this

thing because of some people. And if the people are coming right back to the neighborhood and you tear this building down there just going to go somewhere else.

And so I'm not saying I'm going one way or another with this but I struggle with the idea of a house that again, I probably misquoted, according to my contractor brethren up here, what it would take to get this back up and going. But to have some family living here after reinvesting in it as opposed to tearing it down. You know, once somebody —

OFFICER DRYDEN: Honestly, I'm not even sure you could salvage it.

CHAIR WEYMOUTH: Really?

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OFFICER DRYDEN: There's so much structural damage.

CHAIR WEYMOUTH: Okay.

OFFICER DRYDEN: And our biggest concern is that they're using it for a drug, so it will catch fire and someone will end up getting killed in it. Because it's so structurally unsound. There's so much exposed everything inside because it's just been dilapidated for so long that even if somebody wanted to come in -- we buy cash, junk houses people -- they'd have to tear it down and start fresh. There's just too much structural damage.

And we are concerned because we don't want it to catch fire because the next property is so close. And it's a bizarre compound any way that the whole, one piece goes, it's

all going to go because there's so much rotted, exposed wood 1 that's dangling down and stuff that it would all go. 2 3 CHAIR WEYMOUTH: Thornie? 4 MR. CROGNALE: Mr. Chair? 5 MR. JARRETT: I have a question for you. 6 OFFICER DRYDEN: Sure. 7 MR. JARRETT: And it might be opening up a can of We haven't had the benefit of pictures of the inside 8 of the structure. Oh, you've got some now? Okay. OFFICER DRYDEN: Right, the very first time --10 11 MR. JARRETT: But you just --12 OFFICER DRYDEN: -- we went there we took pictures, 13 Mark took pictures. 14 MR. JARRETT: Okay. But Officer, you just opened up 15 a whole new area. 16 OFFICER DRYDEN: Sorry. 17 MR. JARRETT: You stated that there is sinkholes inside and that the stairs are unsafe and that there is like 18 exposed structure. Can you elaborate on that? 19 Because we're 20 not aware of that. 21 OFFICER DRYDEN: When we first, the first, back in early summer -- I can't remember the first time we had gone 22 23 there --24 OFFICER CAMPBELL: July. 25 INSPECTOR OLIVA: July.

CHAIR WEYMOUTH: July.

OFFICER DRYDEN: There was two officers that could barely even -- because I didn't go to the top so I'm going by what they were telling me how it was -- and they described it as a sinkhole. They, when they had to make contact with -- because people were like in every room at this property so we had to go into every room to try and make sure everybody was out -- they said that they literally, there was, couldn't even walk by it because there was holes and everything. They had to hug the walls to get around it. The ceilings were, I mean, they didn't even want to be in there because it's just, it's so unsound.

I stayed mainly to the outside because there was younger people and we were arresting them so I'm going by what they told me.

MR. JARRETT: Right.

OFFICER DRYDEN: That first day when we called them out because we realized this has to be boarded up today -- because if somebody does, if it does collapse on them and, you know, who knows?

MR. JARRETT: Sure.

OFFICER DRYDEN: I think they took pictures of it that day. I don't know if you have them.

OFFICER CAMPBELL: I, It was also my testimony at the last hearing about the sinkhole and the fact that it was,

that the second floor was falling in. That was my testimony. 1 2 MR. JARRETT: Do we have pictures? 3 OFFICER CAMPBELL: I do, there are pictures, they're checking, they're checking a separate case for those pictures. 4 But I did take pictures of everything. 5 6 MR. JARRETT: Oh, so, you presented those pictures to like Code Enforcement Board but we didn't see them. 7 8 that the deal? 9 OFFICER CAMPBELL: For something slightly different. But anytime that I go into a property I take pictures of 10 11 everything. 12 MR. JARRETT: They're not on the computer here that we can see them now? 14 OFFICER CAMPBELL: Unfortunately, this computer does not have access to the program that we use. 15 16 MR. JARRETT: Okav. 17 OFFICER CAMPBELL: But if anything, I can get pictures, but they should be there. 18 19 MR. CROGNALE: Mr. Chair? 20 OFFICER CAMPBELL: He's saying that they're coming 21 up on this somewhere. 22 CHAIR WEYMOUTH: Go ahead Joe. 23 MR. CROGNALE: My opinion, I think we have just one issue before us right now. Forty-five days ago, we determined 24 that it was an unsafe structure. Now we're getting the 25

dialogue of where the squatters are going to go tomorrow, the next day. It's not our issue. We have an unsafe structure right now, I think that's what we have to address.

CHAIR WEYMOUTH: Okav.

OFFICER CAMPBELL: And we have the neighbor here that's also wants to speak as well.

CHAIR WEYMOUTH: Anybody else have any more questions for the City Inspectors before we hear from anybody else? Officer, do you have anything more you want to add?

OFFICER DRYDEN: No. Thank you.

CHAIR WEYMOUTH: Thank you. Anybody else like to be heard on this? Would you like to be heard ma'am? Come on up and tell us your name.

MS. WILLS: Good afternoon, my name is Wendy Wills. I live at 1328 Southwest 30 Street, so I am a couple, a few doors on the south side heading west on 30th. My husband, my daughter and I live in our home, we've lived there for eleven years, she's eight-and-a-half. We have, since we moved into the neighborhood eleven years ago, have watched this particular home deteriorate. I was pregnant when hurricane Wilma happened, there was damage to that house, it was never fixed.

A few years ago, you'll remember we had the twenty-five year flood? Well, Edgewood got flooded out; my home was one of them. FEMA had to come in but FEMA I met right outside

that particular house door, water was everywhere in there.

The owner took the money, nothing was done. It has gone downhill. It is awful to look at. The people that have been in there -- the renters when they had renters in there -- were pretty bad. Now you -
MR. PHILLIPS: Can we go back to that picture?

MS. GOLDWIRE: Um-hm.

MR. PHILLIPS: So Mark can we just see, Mark can you

MR. PHILLIPS: So Mark can we just see, Mark can you explain what that --

CHAIR WEYMOUTH: Jack, let's let her finish her -MR. PHILLIPS: Oh, I'm sorry. [inaudible] pictures.
CHAIR WEYMOUTH: Then we'll circle back.

MS. WILLS: And now we've had drug addicts in there and just all the drug activity there. And I have an eight-and-a-half year old daughter. She can't play on the street because of all the cars coming in and out. And I have, I'm very fortunate, I get to stay home; I don't have to go to work. I have a dog, so I walk Bear everywhere in the neighborhood, so I see everything. And I've had to look at this.

And I've been a proponent of calling the Police and Mark Campbell or when the Police were there a couple weeks again ago again, I called him. I had to e-mail the Mayor on a Saturday and he was great, he called, he responded in five minutes. Someone had busted through again the front door.

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And there's an apartment complex right to the west of it, and they're Spanish-speaking kids that were going up to the open door. I'm trying to tell them to get away and they're not because their kids, their little kids, they're It is also a bus stop in the morning for the kids going to Croissant Park.

It is just so awful to look at and it attracts this particular crowd. But it has been, the renters that lived in there, I've seen the Police with one particular individual on the ground in handcuffs a couple of times. Honestly, just, it's, and I've met the Police outside when I've had to call the Police and they said they almost fell through the floor. And then one said that there was buckets of maggots on the I mean this is just disgusting.

OFFICER CAMPBELL: Real quick on this one. picture that's being shown right there, you can't see because of the shading but that whole floor is sunken in.

CHAIR WEYMOUTH: That's the second floor? The foundation?

> OFFICER CAMPBELL: That's the first floor.

CHAIR WEYMOUTH: Huh?

OFFICER CAMPBELL: That's the first floor,

CHAIR WEYMOUTH: That's the first floor foundation? Concrete foundation?

that's what the Officer was referring to as far as them having 1 to hug the walls to get through. Now, I may not, you know, 2 I'm no contractor, but I'm going to assume that, that plus the 3 other picture that showed that, the hole of the ceiling falling through, ten thousand dollars is not going to fix the 5 6 property. 7 CHAIR WEYMOUTH: Okay. Is there anybody else that would like to be heard on this? I mean, basically, there's a 8 forty-five day demolition order in place and there's no reason 10 that I can see that any further action needs to be taken. 11 just asked if there was anybody else that wanted to speak and nobody's jumping up and down waving their hands yelling save 12

MR. PHILLIPS: I've got a question for the -- is this in foreclosure?

MS. HASAN: I don't know.

MR. CROGNALE: What difference does it make?

MR. PHILLIPS: Looks like [inaudible]

MS. HALE: Yes.

CHAIR WEYMOUTH: Well, it was the bank that showed up last month.

MS. HALE: Yes.

CHAIR WEYMOUTH: Wasn't it? Or, an attorney for the bank I should say. So --

MR. JARRETT: So basically, if we take no action, in

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my home.

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fifteen days, the home will come down. 1 2 CHAIR WEYMOUTH: Correct, Rhonda? 3 MR. HOLLAND: Or it's authorized to. 4 MS. HASAN: Yes, correct. 5 MR. You know, well, I agree with the JARRETT: 6 Chair. 7 And yes, correct, it is in foreclosure MS. HASAN: 8 with Wells Fargo. 9 MR. PHILLIPS: Has a final judgment been issued? 10 MS. HASAN: I don't believe so. 11 MR. PHILLIPS: Motion for final judgment made? 12 MR. JARRETT: Rhonda --13 CHAIR WEYMOUTH: At this point, it, that, I don't think it makes any difference to us, Jack, to us. 14 there's a forty-five day demolition order in place and asked 15 them to come back and give us an update and fill in the pool 16 and all this other stuff and obviously none of that's been 17 18 done, so. 19 MR. PHILLIPS: I guess that the bank doesn't want to 20 protect its collateral. 21 MS. HALE: Yes. 22 CHAIR WEYMOUTH: That's their --23 MR. PHILLIPS: That's their problem. 24 CHAIR WEYMOUTH: Yes, exactly. 25 OFFICER CAMPBELL: With respect, they were also

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ordered to reappear at this hearing. 1 2 MR. CROGNALE: Mr. Chair? 3 CHAIR WEYMOUTH: Well no, they weren't ordered. suggested it; we didn't order them, we suggested it. 4 5 OFFICER CAMPBELL: Or strongly suggested. 6 CHAIR WEYMOUTH: We, exactly. Yes sir. 7 MR. CROGNALE: Mr. Chair? We've already established that it's an unsafe structure. As of this point, there's been 8 no evidence brought forward this evening to dispute the fact that it's still an unsafe structure. Nothing has changed. 10 11 CHAIR WEYMOUTH: That's what --12 PHILLIPS: How come this came back as old MR. 13 business? 14 CHAIR WEYMOUTH: We asked --15 MR. JARRETT: We requested it, in the motion. 16 CHAIR WEYMOUTH: Correct. We asked, in the motion, we suggested they come back and at the time my recollection 17 was, is that the person here representing the property --18 whether it's the bank or whomever, I don't remember who it was 19 -- felt strongly that somebody was going to take action. 20

> MS. HALE: Yes.

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CHAIR WEYMOUTH: And we said we'll give you forty-I think actually it started out as sixty days and five days. then it was throttled back to forty-five days with them to come in and prove to us, put your money where your mouth is I

And they said okay. And obviously that did not 1 think. 2 happen. So quite frankly I think we've wasted enough time on this case. 3 MS. HALE: Yes. 4 5 CHAIR WEYMOUTH: I think we move on unless you guys 6 want to keep beating it up. 7 MS. HALE: Could I, could I just ask City Attorney, 8 when we give the demo order what about that pool? 9 CHAIR WEYMOUTH: It's already been --10 MS. HALE: Is that included in the order? 11 CHAIR WEYMOUTH: Yes. 12 MS. HASAN: I believe that was included in the prior 13 order --14 CHAIR WEYMOUTH: 15 MS. HASAN: -- of the Board. 16 MS. HALE: Was it? 17 MS. HASAN: Yes ma'am. 18 MS. HALE: Okay, that's all. 19 MR. LARSON: [inaudible] 20 CHAIR WEYMOUTH: Can we move on to the next case? 21 MS. HASAN: And there is a partial final summary 22 judgment but no sale date. 23 CHAIR WEYMOUTH: All right, thank you. 24 MS. HASAN: No sale date. OFFICER CAMPBELL: 25 Thank you.

1 MS. GOLDWIRE: Next case --2 CHAIR WEYMOUTH: Good luck folks. I know it's an eyesore and it's a problem but --3 4 MS. HASAN: Two more weeks. 5 MR. LARSON: It's coming down. 6 CHAIR WEYMOUTH: It's coming down. 7 MS. HALE: Fifteen more days, yes, two more weeks. 8 INSPECTOR OLIVA: Thank you Board. 9 CHAIR WEYMOUTH: You can have a neighborhood 10 demolition party I think. 11 MS. HALE: Yes. CHAIR WEYMOUTH: All the neighbors would be happy to 12 get a hammer and bang away. You know, the unfortunate part, 13 it's unfortunate that these people are, that are the squatters 14 are just going to find another vulnerable property. 15 16 MS. HALE: Yes, yes. 17 CHAIR WEYMOUTH: So anyway. All right. 18 19 2. Case: CE14072163 INDEX 20 DOWNTOWN FORT LAUDERDALE WATERFRONT 21 413 SW 3 AVE 22 MS. GOLDWIRE: Next case is on page two. number CE14072163, case address 413 Southwest 3 Ave., owner 23 Downtown Fort Lauderdale Waterfront, Inspector George Oliva. 24 Property was posted 11/3/14, advertised in Daily Business 25

Review 10/31/14 and 11/7/14. Owners were notified via certified mail as noted on the agenda.

INSPECTOR OLIVA: Georgia Oliva Building Inspector for the City, I'm going to be presenting case number CE14072163 on today's agenda. This case was opened on July 29, 2014 by me. The following pictures were taken by me on July 29, 2014 and by Bob Pignataro on September 3, 2014.

[Inspector Oliva displayed photos of the property]

Even those pictures are showing the wrong date but they put a intake in the computer saying that he took the pictures but the camera that day was out of date. And I have a little copy here of that statement that he made in the case history for the benefit.

So the pictures are showing the wood dock the way it has been rotted by the weather and by the time. Even if they had a permit back in 2012 to fix that part of the wood dock, you can see that the seawall already cracked, has given in and is completely sagging already. And another thing is that the Water Taxi company is still using that dock and there's people walking up and down in the dock which is deemed to be unsafe.

I asked for some emergency repair to be done to the dock like covering those gap or the holes in the wood deck but they haven't been done yet. And at this point the only thing that I can ask the Board to find for the City that this boat, dock is unsafe and to order the owner of the building to have

it repaired or demolished in the next thirty days. 1 2 CHAIR WEYMOUTH: Any questions for the Inspector? 3 MR. CROGNALE: Yes, just one. 4 CHAIR WEYMOUTH: Go ahead Joe. 5 MR. CROGNALE: Mr. Oliva, something is curious, the position -- there's a high-pressure washer near there; was 6 that there for any particular reason or was --7 8 INSPECTOR OLIVA: Yes, because the company cleaning the boat or the vessels right there on the 9 10 dock. 11 MR. CROGNALE: Oh, okay. So it was for another use 12 rather than --13 INSPECTOR OLIVA: Right. 14 MR. CROGNALE: I was going to say, why would they clean that dock. 15 16 INSPECTOR OLIVA: Right, because the workers are 17 there cleaning the boat. MR. CROGNALE: You answered my question, thank you. 18 19 CHAIR WEYMOUTH: Looks like they might have been bored because they did half the deck too so. 20 21 MR. HOLLAND: The deck chairs on the Titanic here. 22 MR. WEYMOUTH: Any other questions before we hear 23 from others on this? Okay. 24 INSPECTOR OLIVA: I have a person representing the 25 owner.

CHAIR WEYMOUTH: Good afternoon ma'am if you'd state your name please.

MS. VIAROS: Hi, good afternoon, my name is Jessica Viaros, I work, I'm an owner representative. We contacted Chappelle Group, which are environmental consultants. They've already, I have a contract here if you'd want to see it. They've already prepared a sea grass survey which is part of what needs to be done in order for the dock to be repaired and they are telling me that no later than the second week of December they should be presenting for permits to get the job done and fixed.

CHAIR WEYMOUTH: Is that it? I don't mean to say is that it, but I've got questions for the Inspector but I didn't want to interrupt you.

MS. VIAROS: No, no, that's it.

CHAIR WEYMOUTH: The, you're saying that this is a proposal to repair the dock. I'm seeing a lot of structural damage to the sea wall. Is that being addressed in the same report?

MS. VIAROS: Yes.

CHAIR WEYMOUTH: Or is that strictly the wood dock that's being addressed?

MS. VIAROS: Everything should be included.

CHAIR WEYMOUTH: Okay. Because obviously that's no easy undertaking to repair that. Now, I see a name here of

1 Mr. Asi Cymbal, and I know Mr. Cymbal has gotten the rights to 2 develop something over there. Is this a temporary fix that you're doing or is this in preparation for the larger-scale 3 4 development that's going on there? 5 MS. VIAROS: It's not, my understanding is that it's a, it'll be a permanent fix. If later on when they get to 6 7 that part it's part of the plans to be restructured then that'll be addressed at that point. 8 9 CHAIR WEYMOUTH: And again, I'm not going to take 10 the time to delay everybody sitting up here. What's the timeframe again that you're looking to operate in? 11 MS. VIAROS: They're presenting permits in the next, 12 13 by, no later than the second week of December and then it's 14 just a matter of them getting the work done at that point. 15 CHAIR WEYMOUTH: Permits to the Army Corps or 16 permits to the City of Fort Lauderdale? 17 MS. VIAROS: Permits to the Army Corps. And then --18 So, for those of us up here that CHAIR WEYMOUTH: 19 have tinkered with that, that is a long, drawn out process. 20 MS. VIAROS: I understand. 21 CHAIR WEYMOUTH: That's a -- what would estimate, six months, eight months -- to get a permit from the 22 23 Army Corps?

MS. VIAROS: I wouldn't be able, I don't know. I would need to ask the environmental consultants to provide me

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with that answer.

CHAIR WEYMOUTH: That was a hypothetical response. I mean, I know it's a long time. My concern or my question is, I guess it doesn't matter because we can't fix it without a permit. So if it falls in the river, well, shame on the Army Corps. Correct?

INSPECTOR OLIVA: Yes.

CHAIR WEYMOUTH: Is there a way of expediting getting, is there a way that the City can contact the Army Corps and say we've got a situation here that potentially could end up in the river?

INSPECTOR OLIVA: I don't believe we can do that; we don't have the power for. Maybe the Building Official can. But I was talking to her before the hearing and she made a commitment to have the property owner do emergency repairs on the wood deck itself to cover those holes. And that's how far as I can go. Either that or they're going to have to be demolished. But --

CHAIR WEYMOUTH: I mean, this is not an old case. And looking at this, you, it looks like this is something that's just come up recently so to me the way I'm reading this is that they haven't been thumbing their nose at the City or whatever, it sounds like they're taking a proactive position. I just, again, knowing how slow it takes the Corps to review and issue a permit, you know, is there some rip-rap wall that

we can suggest that be put in to take the stress off of this?

CHAIR WEYMOUTH: Do they need -- let me ask you a different question, I don't mean to cut you off George -- but it's a two-step process. To me it looks like you've got an unsafe dock there. That should be a simple permit that is pulled from the City of Fort Lauderdale to remove a wood dock and its associated pilings, correct?

That --

INSPECTOR OLIVA: Yes sir.

INSPECTOR OLIVA:

MS. HASAN: And the County,

CHAIR WEYMOUTH: And that wouldn't require the Army

Corps.

MS. HASAN: And the County.

INSPECTOR OLIVA: No, only to the County. And that's why when I met the property owner, I met him on his office I suggest then to do a emergency repair and try to take care of the gaps and secure the whatever we've got left there of the wood dock to the sea wall. But nothing has been done and it got to a point that I have to move forward and deem the dock to be unsafe.

And I met with her before we started the hearing and she says that they're going to try to do an emergency repair there so at least they're moving forward. But kind of late, but they're moving.

MR. PHILLIPS: You met the owner, George?

1 INSPECTOR OLIVA: Yes, I met with the owner. 2 was back in September, I believe the twelfth or the thirteenth 3 of September I went to see him at the property. 4 CHAIR WEYMOUTH: The owner being Mr. Cymbal. 5 INSPECTOR OLIVA: Yes sir. 6 CHAIR WEYMOUTH: Okay. 7 INSPECTOR OLIVA: And I spoke with him on the phone 8 a couple times. 9 CHAIR WEYMOUTH: The wet face of the sea wall, are 10 there any breaches or voids? Are, is there anything alarming 11 or is this all --INSPECTOR OLIVA: As you can see from my pictures, 12 13 part of the sea wall's already cracked and giving in to the 14 water. 15 CHAIR WEYMOUTH: But that's above the water line. 16 I'm talking about below the water line. 17 INSPECTOR OLIVA: Below the water line, I couldn't 18 see it because I have no way to go --19 CHAIR WEYMOUTH: You want my mask and snorkel? 20 INSPECTOR OLIVA: I don't have that with me. 21 PHILLIPS: Would we require Water Taxi, since they're doing business there, as part of their occupational 22 23 license, to fix this as a public safety for its employees? 24 CHAIR WEYMOUTH: well, I think they're looking to go forward with fixing it Jack, it's just a matter of getting the 25

necessary approvals.

INSPECTOR OLIVA: Right.

CHAIR WEYMOUTH: For them to do it. I think it sounds like they're -- so. Thornie?

MR. JARRETT: I have a question for you ma'am. Well, first a comment. This is obviously damage that has occurred over years; this didn't happen in the last six months or last year.

CHAIR WEYMOUTH: Right.

MR. JARRETT: This is something that's gone on and on and on. And my concern is, I realized that the Water Taxi's doing business there and they probably pick up their passengers elsewhere.

MS. VIAROS: They do; that's correct.

MR. JARRETT: I don't think they have any passengers there. But they do have employees there. And after they close at night there's kids and we have obvious problems here. Can you say to me that this is a secure area? Is there a fence around this property that keeps people from getting in there? And what precautions do the employees take? I mean, this looks dangerous to me.

MS. VIAROS: Well, the employees, apparently were, according to the Inspector, were walking up and down. I'm not aware that there are, just anybody is walking on that dock but I don't know the answer to that question.

MR. JARRETT: Would the owner be open to making some emergency repairs while this six-month process takes place?

MS. VIAROS: He is absolutely, yes, he's open to making the emergency repairs while everything else --

MR. JARRETT: And making sure that the property is secure so that children don't go on this property and get hurt?

MS. VIAROS: Absolutely.

CHAIR WEYMOUTH: Joe?

INSPECTOR OLIVA: George Oliva, Building Inspector, yes, they have a gate and they have a fence around the dock. You can see part of the gate and the fence in the picture. And they also have security, so it's not open to anybody just go in but the employees going up and down.

MR. JARRETT: That's good.

MS. HALE: Yes, okay.

CHAIR WEYMOUTH: Mr. Holland.

MR. HOLLAND: Yes, thanks Mike. This appears to be another case of a requirement for some selective demolition to be done in advance. What you were talking about ma'am was, sounds like the final product. It's very common to save money and maximum efficiency to have the final sea wall and dock designed and start constructing from there. But as you can see there is a need safety-wise for some partial demolition.

MS. VIAROS: I understand.

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MR. HOLLAND: And it's something that negotiated with City staff to everybody's benefit and it needs to be done right away. So that is something that can be looked at as going to happen anyway. It shouldn't add that much more cost and it means pulling maybe a demolition permit only hopefully and if it gets, still need to maintain access to the boats that can be worked out in the scope. If the City staff doesn't have those people, I think, you consultant could be hired but it's got to happen very fast because it's an unsafe situation. And what you're talking about's going to take a very long time to happen.

MS. VIAROS: Okay.

MR. CROGNALE: Mr. Chair?

CHAIR WEYMOUTH: Joe.

MR. CROGNALE: One comment. Is that the alternative, all right, the alternative would be for this Board to consider is complete demolition. One of the alternatives. Or the other is to have the City to have an alternative method to secure it while she's obtaining all her permits, which is going to be timely. So our alternative is complete demolition, which is before us, or work out some sort of a compromise with the owners to secure it. As Mr. Holland says, it's really in a state of disrepair right now and it's dangerous.

INSPECTOR OLIVA: On my meeting with the property owner on September I asked him to provide me with a letter

that

from a professional designer or engineer with a prescribed 1 2 emergency repair to the dock so I could present it to the City 3 or the Building Official for his approval to do an emergency 4 repair by the time that they obtain the required permit. 5 once again, nothing has happened, we're not moving forward, 6 that's why we're here today. 7 MR. CROGNALE: Nothing has happened for 8 request? 9 INSPECTOR OLIVA: No. but I'm willing to take a 10 prescribed emergency repair from the engineer, take it to the 11 Building Official for his approval and I believe that he would approve it. With no problem. 12 13

MR. CROGNALE: Would the owner be amenable to that request from the City?

MS. VIAROS: Yes.

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INSPECTOR OLIVA:

Yes. MS. VIAROS: We'll present a letter from the engineer to do the emergency repairs that need to be done.

CHAIR WEYMOUTH: I have a comment if there's no other questions right now for either of them. Just a second. Just a request if you would. I'm assuming all these pictures were taken at the same time. There are some that are dated July 28, 2014 there's others that are dated July 6 or January 6, 2008.

INSPECTOR OLIVA: Right, those are the ones that

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MS. HALE: No.

CHAIR WEYMOUTH: That is correct.

MS. HALE: No.

were taken by Robert Pignataro on September, but the camera was updated, they didn't have the proper dates there.

CHAIR WEYMOUTH: If we could synchronize our watches so that we're all -- I don't want to sit here thinking that I'm looking at six year old pictures and --

> INSPECTOR OLIVA: No, no, the --

CHAIR WEYMOUTH: -- and in my mind accusing the owner of not doing anything for a very long period of time.

INSPECTOR OLIVA: No, the 2008 pictures are after the ones that I took in July.

CHAIR WEYMOUTH: Okay. And that's fine. I'm just saying if we're going to put stuff out there let's have the accurate date at least and, you know, the time would be nice but I'm sure you're not out there at one-fifteen in the morning taking pictures. But anyway, Thornie, you had a comment.

MR. JARRETT: Yes. I just have a comment possibly might be an idea for us to consider. We could find the violations exist. I think all of us agree at this point from what's been said here in the last couple minutes that the violations do exist. And I don't believe we're going to have a meeting in December, correct?

MR. JARRETT: So, if we find the violations exist and we put a sixty-day demolition order on it and then ask the owner to come back in the January meeting and at that point if the owner has made emergency repairs and can prove that those repairs have been made, holding, waiting for his permit, but to make it safe, demolition what has to be demoed, make it safe and then maybe we'll give you another extension. I don't know if the Board would be consider that but --

CHAIR WEYMOUTH: Well, if there's no more dialog, you want to put that out there as a motion, we can certainly find out but before you do that let me make sure there's no additional comments.

MR. LARSON: That's what I'll find out Thornie.

CHAIR WEYMOUTH: All right, Mr. Larson you have a -- Thornie, do you mind if I go to --

MR. LARSON: I'm just in somewhat the same [inaudible] as Thornie but I'm concerned about those three boats that are sitting out there and they've got a dock that's all over. And how many people are going to be going, people are going to be boarding those boats to --

MR. JARRETT: Well, no, they don't do that there.

MS. HALE: No, no.

MR. LARSON: [inaudible] okay. I know that they don't take people up there but you've got people that run those boats, you've got people that service those boats --

MR. JARRETT: Absolutely, and they need to be safe. 1 2 They need to be kept separate. MR. LARSON: they going to build an emergency dock over top of that to get 3 4 into that? 5 CHAIR WEYMOUTH: Well, that's for them to figure out what the City. We're concerned about the unsafe structure. 6 7 MR. HOLLAND: Yes. 8 MR. LARSON: Well, my suggestion is can they, Yes. can we condemn this dock 9 and they can take their boat someplace else until they get the thing repaired? 10 11 MS. HALE: No. 12 MR. JARRETT: Well, that may present a hardship to 13 the business and I know that our economy --14 CHAIR WEYMOUTH: Our industry is dependent -- you're absolutely right, but in the same breath what Mr. Larson is 15 16 saying is warranted. 17 [People speaking over each other] 18 -- by not stepping up to the plate and MR. LARSON: 19 making the repairs. 20 MR. HOLLAND: It needs to be safe. 21 MR. LARSON: Right. 22 MR. HOLLAND: It needs to be safe. 23 CHAIR WEYMOUTH: Not being an engineer, and I will defer to my engineer brethren up here, I'm sure that there's a 24 temporary dock facility that could span all this to where it 25

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makes for safe passage to get on at least one boat and then you move the boat or whatever. But, yes I think, you know, we need to address the unsafe structure and if they need to figure out how to get on the boats, they're enterprising they'll figure it out.

MR. LARSON: It's fine with me if they can do something like that.

CHAIR WEYMOUTH: So, before you make your motion Joe did you have in addition --

MR. HOLLAND: Yes. You know, I'm hearing repair, I'm hearing fencing off and things like that but the partial demolition that we don't have to decide up here will develop, will evolve in the scope of work that would make it safe. would hate for them to, I mean, if we order a complete demolition of the slabs and everything I think that's kind of a hardship --

> CHAIR WEYMOUTH: This --

MR. HOLLAND: -- knowing that it's going to be a new, totally new facility. But I just would prefer to, you know it be a selective demolition order --

> CHAIR WEYMOUTH: This --

MR. HOLLAND: -- instead of them repairing and is a better way to make it safe. A combination of repair and selective demolition, which of course we don't have the language for so I wish the motion maker will.

CHAIR WEYMOUTH: This will parallel in my mind the residential seawall that we looked at a handful of months ago up in somewhere in the Northeast where the seawall was falling in. You know, it's --

MS. HALE: It's still falling in.

CHAIR WEYMOUTH: -- I'm sure it is. And the City has not removed it because removing it, somebody has to replace it, which is the exact same situation here. So even though we order a demolition, a prudent City or anyone will not demolish the existing seawall until a new one is ready to be installed.

So I don't know that a partial demolition is required. I think you order a full demolition in order for them to get a demolition permit from the City to demolish the seawall they have to get the approval from DNRP or the Army Corps, whomever. It's just a long drawn out process. But if we give them the demolition order, that's a full demolition and they just need to go about it the right way.

MR. CROGNALE: Mr. Chair?

MR. HOLLAND: I think you just argued on my side if I'm not mistaken.

CHAIR WEYMOUTH: I hope so.

MR. HOLLAND: It sounded like it. I mean, if, hypothetically if you need to take the wood away and leave the seawall that's called a partial demolition --

1 MR. JARRETT: Joe --2 MR. HOLLAND: -- it's not asking to take the seawall 3 down. 4 MR. JARRETT: And Joe, I was not suggesting a 5 partial demolition. MR. HOLLAND: Oh no, I didn't say you either. 6 7 MR. JARRETT: Yes, yes. 8 MR. HOLLAND: I just thought there was talk of complete demolition orders and I think that's extreme. 9 10 MR. JARRETT: Yes, well I'm suggesting that we find the violations exist like the City has presented, that we 11 12 order a demolition, we order it like in sixty days and that gives them the opportunity to come back here in sixty days and 13 ask for an extension on that demolition order based on the 14 fact that they've made everything safe that they can. 15 16 MR. CROGNALE: Comment? 17 MR. JARRETT: And without that proof in sixty days, then the demolition order will just go through. 18 19 CHAIR WEYMOUTH: So we have a motion. 20 [People speaking over each other] 21 MR. HOLLAND: As long as the demolition order doesn't become an excuse because they've got to get a design 22 and approval from the Coast Guard for a seawall. 23 The seawall shouldn't be driving the truck here. 24 25 MR. JARRETT: Joe, question --

1 MR. CROGNALE: Yes? 2 MR. HOLLAND: -- are the two tied together? 3 MR. CROGNALE: No, uh, we have too many Joes here. 4 MR. JARRETT: Yes. 5 MR. CROGNALE: The comment I was going to make is, I'm in alignment with Thornie's thinking. If you order a 6 7 complete demolition, all right, that gives them the opportunity to come back to the table, this gets them back to 8 the table with a method of how you're going to comply with it. We can't order partials, we don't know partials, we don't 10 understand partials. And if we do what Thornie is suggesting 11 and he brings it to a motion he's got an automatic second and 12 13 I think that is for my estimation is the proper way for 14 it. 15 CHAIR WEYMOUTH: Well, just for clarification, we 16 can order partials or selective demolitions but --17 MR. HOLLAND: Actually, Mike --18 MR. WEYMOUTH: But, but --19 MR. CROGNALE: Where are the limits? Where would we 20 draw the limits? 21 CHAIR WEYMOUTH: Yes, it's --22 MR. HOLLAND: It's not our purview. As we said, 23 it's for staff. They have consultants and things like that. We 24 don't set up your with nuts and bolts figuring out every 25 aspect of this stuff so we find that things exist as unsafe

and let people do their jobs and we've done our job.

CHAIR WEYMOUTH: So, if the seawall were something that would be able to be permitted solely by the City of Fort Lauderdale as the dock would be, we would not be having this conversation.

MS. HALE: Right.

think -- if I am hearing what everybody's saying -- is that in sixty days the owner should come back with the existing wood dock demolished and if they need to have temporary access to their boats, then they need to permit that with the City. It's two-horse race. At the same time, in sixty days they need to come back and show us where they have applied for their permit with DNRP or the Army Corps, whomever it is and that you're basically in that incubating time and you're just waiting for them to come out.

If in fact that is the case, then we give them a, I don't know, say a four-month extension to find out where they're at in four months in the process of procuring the permit from the state agency or the governmental agency outside of the control of the City. But you're not going to be able to tie the two demolition, the two things that need to be demolished you can't tie in to have the same time line to them. So that's my assessment. Anybody else?

MR. CROGNALE: Yes, one comment.

CHAIR WEYMOUTH: Yes sir.

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MR. CROGNALE: On that, on the same vein. If we get out of the realm of partial demolition and put the burden on the owners, if we elect that it's a total demolition, they will, in sixty days come back with the mythology [sic] of how they're going to cure it with their engineering, with their contractors. They will have the methodology in place at that time. Because they will have been ordered to come to the table and --

CHAIR WEYMOUTH: Hopefully by that time they will have had the dock demoed and have a new temporary access to the boat in place and have a permit submitted.

MR. CROGNALE: Quite possibly, yes.

CHAIR WEYMOUTH: I mean, until you get the permit back from the state I don't know that I'd be hiring a contractor to be doing anything but I don't know. We'd have to wait sixty days and see what they come back with.

MR. CROGNALE: Yes. Quite possibly in sixty days they have an answer.

CHAIR WEYMOUTH: Right. And if they don't, then the demolition order's in place.

MR. CROGNALE: It's in place.

CHAIR WEYMOUTH: So --

MR. HOLLAND: Mike?

CHAIR WEYMOUTH: Joe?

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MR. HOLLAND: Yes. Alex, the Building Official? Can you update us on what resources you have to help develop a selective demolition scope with an owner to meet the City's needs to make this safe. Because sixty days here and sixty days there sounds like a whole lot of unsafe dock before anything happens.

But do you, I know in engineering it happens a lot, anytime you retrofit an old building there's a selective demolition scope of work and a set of specs. I imagine it's not too hard to put together but it may need an engineer's involvement. Do you have staff engineers or consultants to use that can help with these?

MR. HERNANDEZ: Alex Hernandez, Assistant Building Official, we can reach out to the Broward County Board of Rules and Appeals, they have an engineer on staff that can help us with engineering for partial demo of the dock if that's which way, if that's your decision. We can do a partial demolition of the dock we don't have to do a total demolition.

CHAIR WEYMOUTH: What's the sense of urgency with the owner of addressing -- my biggest concern right now is the boat captains or the crew or whomever that are walking across this deck or this dock to get on their boat which it looks like literally could go any day. I mean, to me, the Building Official, I think, recognizes that this is extremely perilous

and I think that some sort of an order needs to say you can't walk on that dock, period, do not set foot on that dock. I don't know how you enforce that, that's why you guys get paid for what you do but I think then you get their attention.

Water Taxi's a big industry and I don't think anybody is looking to harm them. I would also think that they don't want to end up in any kind of a lawsuit because of personal injury. So, you know, I imagine you've got methods to be able to address that and I think we have to, you know, let our City officials do what they do best.

MR. HOLLAND: And a point, that the owner has the resources to do this, they're just not stepping up. The only reason I'm talking about the City's involvement and the County's involvement is if the owner defaults and something has to be done, so.

MR. JARRETT: Well, if we make a motion that the demolition motion as I suggested or brought up, if the owner doesn't move it's going to be gone.

CHAIR WEYMOUTH: Yes.

MR. HOLLAND: And the seawall? Are you including the seawall?

MS. HALE: No.

MR. JARRETT: Yes. Well, I'm including, I can only include --

MR. HOLLAND: How are you going to fund this

demolition?

 $$\operatorname{MR}.$$ JARRETT: Well, no, I can only include what the City has asked for.

MR. HOLLAND: Um-hm.

CHAIR WEYMOUTH: Right.

MS. HALE: Yes.

MR. JARRETT: I, you know, and I would assume that from the pictures I see, they're asking for demolition of everything.

MR. HOLLAND: Well --

MR. JARRETT: Because, to me --

MR. HOLLAND: I don't, I think it's unsafe, I don't think they've developed the, on these partials they haven't really gone nuts and bolts on it and now is not necessarily the time. We find the conditions are unsafe and we can leave it at selective demolition. It's an industry understood term and we have the staff to figure it out and sort through this and that and come up with something reasonable until they build the Grand Wazoo there, so.

MR. PHILLIPS: The what?

MS. HALE: The Wazoo.

MR. HOLLAND: You know. I think we can move this along but I do empathize with this Board that we don't have the materials we've been asking for to help with selective demolition.

1 MR. CROGNALE: Why should the City--2 MR. HOLLAND: -- given us a good description. but this stuff is engineering one-oh-one, I don't know what's 3 4 5 MR. CROGNALE: Well -- Joe in all respect --6 MR. JARRETT: Joe, what I think the City is asking 7 total demolition and therefore that solve, 8 addresses all the issues. 9 MR. CROGNALE: In due respect Joe --10 MR. HOLLAND: And we have discussed the difficulties 11 with that demolishing a seawall. 12 CHAIR WEYMOUTH: Right, but, but, but --13 MR. HOLLAND: I'm trying to go beyond that Thornie. 14 JARRETT: Well, can we assume that the City 15 staff would use proper judgment, I mean --16 MR. HOLLAND: Yes! That's what I've been saying at 17 every single meeting, we don't have to do it up here as 18 plumbers and electricians and lawyers and property owners. 19 MR. JARRETT: Right. 20 CHAIR WEYMOUTH: So, okay. 21 MR. CROGNALE: Why put that burden on the City? 22 have the owners should do that. That's the burden should be 23 on the owner, not the City. 24 CHAIR WEYMOUTH: Okay. 25 MR. HOLLAND: We're talking default.

CHAIR WEYMOUTH: All right.

. .

MR. HOLLAND: And the reason the owner has to do it in conjunction with the City because they need to meet the City's criterion for safety. If the owner's going to do it himself he's got to present what is going to do and pull permit.

CHAIR WEYMOUTH: Correct.

MR. HOLLAND: If he defaults, then the City is going to do it themselves with their resources. That's why we do it that way.

MR. CROGNALE: Well that, we're putting the City in a position of making a judgment call, bringing their engineers in at an expense that's not --

CHAIR WEYMOUTH: All right --

MR. HOLLAND: So, just leave things unsafe and cross our fingers? That's why these people are here, to keep us safe.

CHAIR WEYMOUTH: All right. Good debate. Somebody want to make a motion?

MR. JARRETT: I'll make a motion.

MS. HALE: Just a minute. George, did you want to say something?

INSPECTOR OLIVA: No, I was talking to the Assistant Building Official that's why we need a prescribed repair from an engineer with a seal on it to let us know the condition of

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the seawall, the condition of the dock, the piles and everything so that way we can take it from there.

CHAIR WEYMOUTH: you would require But regardless of whether you stood in front of the Unsafe Structures Board. So that's the only thing I everybody's trying to make, you know --

INSPECTOR OLIVA: Right. That's what I've been requesting.

CHAIR WEYMOUTH: We aren't the filter. You guys have specific requirements that a builder or an owner or whomever needs to submit whether it's a plan or engineer's letter or whatever, you have specific requirements. We order demolition, they need to come in with your requirements for you to issue the permit for them to comply.

INSPECTOR OLIVA: That's right. And that's what I've been requesting from the owner from September that we met.

> CHAIR WEYMOUTH: Okay.

INSPECTOR OLIVA: That I need a prescribed repair from a professional designer to let us know the condition of the seawall, the dock itself, if it can be repaired or ha e to be completely removed and rebuilt. But we haven't get to that point yet. That's why we're here because the owner had lack of movement or progress.

CHAIR WEYMOUTH: Okay, all right. Anything else for

the City or from the City? Go ahead Thornie.

MR. JARRETT: Okay. I'm going to make this motion as I think we've all agreed upon in this conversation.

CHAIR WEYMOUTH: We'll find out in a vote.

MR. JARRETT: Yes, we'll find out in a vote. I move that we find the violations exist as alleged and that we ordered the property owner to demolish the structure within fifty-six days -- because I was just notified that that's the time period to our next meeting -- number of, fifty-six number of days, that we order the City to demolish the structure should the property owner fail to timely demolition. And such demolition is to be accomplished by a licensed demolition contractor pursuant to a City issued permit.

And I would like to add to that motion that it is understood that the owner is agreeing to make emergency repairs and that the owner has the right to come back to our January meeting with proof of the proper repairs and proof that they have contacted a professional engineer and that the design work and the permits are in process and that the Board may at that time entertain and extension to this demolition permit, or demolition order.

MS. VIAROS: Yes.

MR. CROGNALE: Second.

CHAIR WEYMOUTH: We have a motion, we have a second is there any more discussion before we put it to a vote?

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   Seeing none, all in favor say aye.
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              MR. CROGNALE; MS. HALE; MR. JARRETT; MR. LARSON; MR.
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    PHILLIPS; CHAIR WEYMOUTH: Aye.
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              CHAIR WEYMOUTH: All opposed.
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              MR. HOLLAND:
                           No.
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              CHAIR WEYMOUTH: Okay. Madame clerk, would you call
 7
    the roll please?
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              MS. OPPERLEE: Mr. Holland.
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              MR. HOLLAND: No.
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              MS. OPPERLEE: Mr. Crognale.
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             MR. CROGNALE:
                            Yes.
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             MS. OPPERLEE: Ms. Hale.
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             MS. HALE: Yes.
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             MS. OPPERLEE: Mr. Jarrett.
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             MR. JARRETT: Yes.
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             MS. OPPERLEE: Mr. Larson.
17
             MR. LARSON: Yes.
18
             MS. OPPERLEE: Mr. Phillips.
19
             MR. PHILLIPS: Yes.
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             MS. OPPERLEE: Chair Weymouth.
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             CHAIR WEYMOUTH: Yes. Motion passes six to one.
22
   Thank you.
23
             MS. VIAROS: thank you.
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             CHAIR WEYMOUTH: All right.
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3. Case: CE14091627

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GOLDWIRE: Next case is on page three. Case number CE14091627, Inspector George Oliva. Case address 720 Southwest 18 Street, Owners Bruce and Elaine Norris. Property was posted 10/24/14, advertised in Daily Business Review 10/31/14 and 11/7/14. Notice via certified mail is noted on

NORRIS, BRUCE E & ELAINE M

INSPECTOR OLIVA: George Oliva, Building Inspector for the City. I'm presenting case number CE14091627 on today's agenda. This case was opened on September 22, 2014 by me. The following pictures were taken by me on 10/14/2014 and I would like to submit them into the records.

[Inspector Oliva displayed photos of the property]

The pictures are showing the front of the garage where the unsafe property's at. That's a wood framing gable right there with the AC on it. You can see the part of the roof that already gave in. The wood is rotting away. roof is completely wide open, it could be uplift. Right now, we're not in the hurricane season anymore but it needs to be repaired before the next hurricane season comes in.

And I met with the property owner which is present right now and they already got in touch with a company, they're going to try to either do a demo or do the repair to

the roof and the recommendation was to go ahead and get a 1 2 design for a new roof deck which I think is going to be a flat deck should be a better way to go in there. 3 4 So the owner is willing to work with the City at 5 this moment so I'm asking the Board to find for the City that this property's unsafe and to order the owner of this building 6 7 to have it repaired or demolished if not in the next thirty days. And I have the property owner present. 8 9 CHAIR WEYMOUTH: Good afternoon sir. If you'll state 10 your name please. 11 My name is Bruce Norris. MR. NORRIS: We plan to demolish it. 12 13 CHAIR WEYMOUTH: The entire structure? 14 MR. NORRIS: The entire structure. 15 CHAIR WEYMOUTH: Okay. 16 I got in touch with a company, DemCom, MR. NORRIS: 17 and they're trying to get permits right now. 18 CHAIR WEYMOUTH: Okay. Thank you. 19 MR. NORRIS: I talked to him today to see where they 20 were with the permit and they're held up right now because 21 they found out that they need a tree survey in my backyard. 22 CHAIR WEYMOUTH: Welcome to government. 23 MR. NORRIS: Yes. 24 CHAIR WEYMOUTH: Sorry guys.

MR. NORRIS: My intentions were --

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1 CHAIR WEYMOUTH: Are you planning on taking a tree 2 out? 3 MR. NORRIS: No. 4 CHAIR WEYMOUTH: Sorry about that. 5 MR. NORRIS: I've got six trees on my property and 6 they're still --7 CHAIR WEYMOUTH: What, why do you need a tree survey if you're removing a structure? That makes no sense. I mean, we're up here trying to move in an expeditious manner --9 10 MS. HASAN: That's not my area. 11 CHAIR WEYMOUTH: He's down there trying to pull a 12 permit and they want to know what kind of tree he's got in his 13 backyard. That's crazy! 14 MS. HASAN: That's Zoning, that's Zoning, 15 Building. 16 MR. NORRIS: They said they measure the tree and see 17 how old they are. 18 CHAIR WEYMOUTH: Sorry did I go off on a --19 MR. CROGNALE: When was the last time you applied 20 for a permit? 21 MR. NORRIS: I've been there for thirty years. 22 CHAIR WEYMOUTH: I'm back. 23 MS. HALE: Okay. 24 My intentions were to take that down, MR. NORRIS: 25 put up a flat roof. I was contacted last month by the person

that saw it and I told him and I was going to just repair the holes until I could save up enough money to make a flat roof. Then I heard about this hearing and everything and I thought okay, just demolish it. So that's where we're at. CHAIR WEYMOUTH: Okay. MR. PHILLIPS: You're not living in this, are you? MR. NORRIS: That's in the backyard. I had it sheltered too so nobody could see it except for in the alley. MR. PHILLIPS: Is this on the water? MR. NORRIS: No, it's 18 Street. MR. PHILLIPS: The only one I ever saw like that was across the street from me on the Intracoastal and it got wrecked in the hurricane. I've never seen [inaudible] MR. NORRIS: It's a pain. The beams are like four feet apart so it's a mess. MS. HALE: What's inside it? Or was? Was it a garage? MR. NORRIS: Yes. MS. HALE: Oh. MR. NORRIS: Two-door garage. CHAIR WEYMOUTH: Detached garage. Anybody have any other questions for Mr. Norris? MS. HALE: With a high ceiling. CHAIR WEYMOUTH: Anybody have any questions for the City?

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1 MR. NORRIS: Very high. 2 What could you have [inaudible] in there? MS. HALE: 3 CHAIR WEYMOUTH: Anybody want to make a motion? I'll make a motion. 4 MR. JARRETT: 5 CHAIR WEYMOUTH: Go ahead Thornie. 6 MR. JARRETT: And you will have time -- let me say 7 to the respondent -- you will have time to proceed before the City gets there, but -- I move that we find the violations 8 9 exist as alleged and that we order the property owner to demolish the structure within thirty days -- your, which 10 11 doesn't interfere with your plans anyway -- and that we order 12 the City to demolish the structure should the property owner 13 timely demolish. fail to Such demolition should accomplished by a licensed contractor pursuant to a City 14 15 issued permit. And you have time to do, because you don't 16 want the City to make this demolition. 17 MR. NORRIS: That's what I hear. 18 MR. JARRETT: You, want to do it yourself; it'll be 19 much cheaper. 20 MR. NORRIS: Well, I've got one, he's waiting --21 MR. PHILLIPS: Second. 22 MR. NORRIS: -- to get the permit. 23 MR. LARSON: But if he gets held up with a tree 24 issue? 25

CHAIR WEYMOUTH: Well. We have a motion, we have a

	second, so any additional conversation? I got a question,
2	does the City go out and get a tree survey every time they
3	tear a building down?
4	MR. JARRETT: Yes. There's a notice in the Building
5	Department that says so.
6	CHAIR WEYMOUTH: Seriously?
7	MS. HALE: Yes.
8	MR. JARRETT: Yes. I've seen the notice in the
9	Building Department.
10	CHAIR WEYMOUTH: Can you tell I haven't torn a
11	building down a while?
12	MR. JARRETT: No, it's a new notice.
13	CHAIR WEYMOUTH: All right. So we have a motion, we
14	have a second. Any other discussion? All in favor say aye.
15	BOARD MEMBERS: Aye.
16	CHAIR WEYMOUTH: Any opposed? Hearing none, motion
17	carries. Good luck.
18	MR. NORRIS: Thank you.
19	MR. JARRETT: Maybe we can make that our comment to
20	the City Commission.
21	CHAIR WEYMOUTH: I think that's a, I'm hoping you
22	make that comment Thornie.
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24	4. Case: CE14090603 INDEX
25	ALPHONSE, EUGENE J
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1130 S FEDERAL HWY

MS. GOLDWIRE: Page two, case number CE14090603 has been withdrawn.

CHAIR WEYMOUTH: All right.

MS. GOLDWIRE: There are no additional cases on the agenda for today. Do you all have anything?

COMMUNICATION TO THE CITY COMMISSION INDEX

Would anybody like to make any CHAIR WEYMOUTH: suggestions to our fair leaders?

MR. JARRETT: Yes. I'll make a suggestion that the Board requests that the City Commission, no that our Board request the City Commission to look at this new requirement of a trees survey before a demolition takes place because as our Chair has just pointed out we're trying to remove unsafe structures in a timely manner and we don't see the need of it. Now maybe, when the Commission does this request of the Building Department to review that, there may be a legitimate reason for this that we're overlooking. But we would ask the City Commission to look at that.

CHAIR WEYMOUTH: Well, we have the new Building Official, I mean, is there a reason --

MR. HERNANDEZ: Alex Hernandez, Assistant Building Official, give me some time to discuss the issue with our Planning and Zoning Administrator and our Director and we'll

1 get back to you. Maybe we can separate Unsafe Structures from 2 normal, regular demo permits and --3 MR. JARRETT: So you're asking --4 CHAIR WEYMOUTH: But even in a normal course, even 5 if it's not an unsafe structures what's the rationale? He's 6 not removing a tree. 7 MR. HERNANDEZ: Well, we've got contractors like to 8 go in and just demo properties and take out the trees and take out everything and not protect the trees. So we're trying to 10 protect our tree canopy and protect the trees. That's the 11 reason for it. 12 MR. JARRETT: So Alex, you're requesting that I, 13 I'll withdraw that request. 14 MR. HERNANDEZ: Yes, please, yes. 15 MR. JARRETT: Until you have looked at it and got 16 back with us. 17 MR. HERNANDEZ: Yes, yes. 18 MR. JARRETT: Okay I'll withdraw that then. 19 MR. HERNANDEZ: Okay thank you. 20 CHAIR WEYMOUTH: I thought we were finally going to 21 send something up for --22 MR. JARRETT: Ah no. [inaudible] that City staff 23 just doesn't want us to talk about Commission, I don't know. 24 [People speaking over each other] 25 MS. HALE: [inaudible] hug a tree Mike that's what

1	they want.
2	MR. CROGNALE: Tree huggers got to make a living
3	too.
4	CHAIR WEYMOUTH: All right, is there anything else?
5	MR. LARSON: I make a motion we demolish the
6	building but leave all the trees.
7	CHAIR WEYMOUTH: I thought you were going to say the
8	Building Department.
9	MR. JARRETT: And Alex, don't run off; I have
10	something I
11	CHAIR WEYMOUTH: Well, everybody have a safe
12	Thanksgiving have a happy holidays and we'll see you in
13	January. Thank you. Meeting's adjourned.
14	
15	Other Items and Announcements INDEX
15 16	Other Items and Announcements None.
16	
16 17	None.
16 17 18	None. FOR THE GOOD OF THE CITY INDEX
16 17 18 19	None. FOR THE GOOD OF THE CITY INDEX
16 17 18 19 20	FOR THE GOOD OF THE CITY No comments.
16 17 18 19 20 21	FOR THE GOOD OF THE CITY No comments.
16 17 18 19 20 21 22	FOR THE GOOD OF THE CITY No comments.
16 17 18 19 20 21 22 23	FOR THE GOOD OF THE CITY No comments.

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ر م	BOARD CLERK
4	rule blegueoux
5	MICHAEL WEYMOUTH, CHAIR
6	[Minutes prepared by: J. Opperlee, Prototype, Inc.]
7	[minutes prepared by. o. opperiee, riototype, inc.]
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1 CERTIFICATION hereby certify that I have recorded 2 transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held November 20, 2014, at 3:00 p.m., City Hall, 3 100 North Andrews Avenue, 1st Floor Commission Chambers, Fort Lauderdale, Florida. 4 Dated at Ft. Lauderdale, Broward County, Florida, this 15 5 day of Anuary , 2015. 6 PROTOTYPE, INC. 7 8 Recording Clerk 9 10 SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the 11 purposes therein expressed. 12 DATED this day of 13 D.J. GROSSFELD 14 MY COMMISSION # EE 065058 EXPIRES: April 26, 2015 NOTARY 15 Bonded Thru Budget Notary Services State of Florida 16 17 18 19 2.0 21 22 23 24 25